

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

LEARY ENTERPRISES, INC., a Delaware corporation,	:	
	:	
Plaintiff,	:	
	:	
v.	:	C. A. No. 04-1238-JJF
	:	
THE TRAVELERS INDEMNITY	:	
COMPANY,	:	
	:	
Defendant.	:	

ORDER

At Wilmington, this **10th** day of **May, 2005**.

A teleconference was held on May 6, 2005 to discuss the status of this civil matter in relation to the criminal case and the tentative mediation date. As a result of the representations by and discussions with counsel, it was unanimously agreed that the tentative mediation should be canceled. Therefore,

IT IS ORDERED that:

1. At present, mediation in this matter will be held in abeyance. The Magistrate Judge will retain her file regarding mediation in this matter for future reference.
2. Counsel for plaintiff will periodically update the Magistrate Judge regarding the criminal matter, including but not limited to, filings of any post-trial motions or appeals.

Local counsel are reminded of their obligations to inform out-of-state counsel of this Order. To avoid the imposition of sanctions, counsel shall advise the Court immediately of any problems regarding compliance with this Order.

/s/ Mary Pat Thyng
UNITED STATES MAGISTRATE JUDGE